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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SAN FRANCISCO TECHNOLOGY, INC.

Case No. C10-05210 PJH

Plaintiff,

**STIPULATION OF TRANSFER
AND ORDER**

vs.

Judge: Hon. Phyllis J. Hamilton

FRANKLIN SPORTS, INC.

Defendant.

1 Plaintiff San Francisco Technology, Inc. ("SF Tech") and Defendant Franklin Sports, Inc.
2 ("Franklin"), by and through their respective counsel, jointly stipulate as follows.

3 WHEREAS Franklin filed a motion seeking dismissal of SF Tech's claims against
4 Franklin pursuant to Fed. R. Civ. P. 9(b) and 12(b)(6), and, in the alternative, to transfer this
5 action to the United States District Court for the District of Massachusetts pursuant to 28 U.S.C. §
6 1404(a) (D.I. 19).

7 WHEREAS SF Tech does not oppose Franklin's request to transfer venue to the District of
8 Massachusetts.

9 NOW THEREFORE, IT IS HEREBY STIPULATED by and between counsel for the
10 undersigned parties as follows:

11 1. The court may transfer this case to the United States District Court for the District of
12 Massachusetts; and
13
14 2. Franklin's Motion to Dismiss is deferred for ruling by the District of Massachusetts.

15 **SIGNATURES**

16 In accordance with General Order 45.X.B., Gerald B. Hrycyszyn, counsel for Franklin,
17 attests that each other signatory listed below has concurred in this filing.

18
19 Date: March 23, 2011

Mount, Spelman & Fingerman, P.C.,

/s/ Daniel H. Fingerman

20 Counsel for San Francisco Technology, Inc.

21
22 Date: March 23, 2011

Wolf, Greenfield & Sacks, P.C.

/s/ Gerald B. Hrycyszyn

23 Counsel for Franklin Sports Inc.

24 PURSUANT TO STIPULATION, IT IS SO ORDERED. This case will be transferred to the
25 District of Massachusetts and the Motion to Dismiss deferred for ruling by the District of
26 Massachusetts.

27 Dated: 3/23/11

HON. PHYLLIS J. HAMILTON
United States District Court

